

Public Transit Districts Creation and Governance

What is a public transit district?

A public transit district is a special district created to provide mass transit services in certain geographic areas. It is a political subdivision created by counties and municipalities under enabling legislation passed by the Utah Legislature in 1969.

What are the public transit districts in Utah?

Currently there are five public transit districts in the state including:

- Utah Transit Authority (UTA), covering the wasatch front;
- Sun Tran Transit District, in St. George;
- Park City Transit District;
- Cache Valley Transit District; and
- Logan Transit District.

Why were special districts created?

Over the years since statehood, the Legislature has periodically authorized the creation of various types of limited purpose units of local government collectively referred to as special districts. The Legislature authorized the creation of these special districts in order to establish a way of providing needed services that a municipality or county is not able or is unwilling to provide. Often the geographical area for these services does not conform to existing municipal or county boundaries. Unlike municipalities and counties which are statutorily given broad, general powers, a special district is given limited powers and is authorized to provide only specified services.

What state statutes regulate special districts?

The statutory provisions relating to special districts are found in Title 17A and Title 17B. These statutes provide for the creation, governance, financing, and taxing authority of special districts. There are currently 12 different types of independent special districts provided for in statute under Title 17A, Chapter 2, Independent Special Districts. They are:

- Part 2, Cemetery Maintenance Districts
- Part 3, County Improvement Districts for Water, Sewerage, Flood Control, Electric, and Gas
- Part 4, County Service Areas
- Part 5, Drainage Districts
- Part 6, Fire Protection Districts
- Part 7, Irrigation District Act
- Part 8, Metropolitan Water Districts
- Part 9, Mosquito Abatement Districts
- **Part 10, Public Transit Districts**
- Part 13, Special Service Districts
- Part 14, Water Conservancy Districts

- Part 18, Regional Service Areas

How are public transit districts governed?

"All powers, privileges, and duties vested in any incorporated district shall be performed by a board of trustees." (see Section 17A-2-1038)

A public transit district is governed by a board appointed by the member entities (the counties and municipalities) that created it.

- If more than 200,000 people reside within the public transit district boundaries, the board of trustees shall consist of 15 trustees appointed and apportioned to member entities using an average of:
 - the proportion of population within each member entity; and
 - the proportion of transit sales and use tax collected within each member entity.
- If 200,000 people or fewer reside within the district boundaries, the board of trustees shall consist of trustees appointed by the legislative bodies of each municipality, county, or unincorporated area within any county. One trustee shall be appointed for each full unit of regularly scheduled passenger routes proposed to be served by the district in each municipality or unincorporated area within any county in the following calendar year.
- The 2004 Legislature made several changes related to public transit district boards including:
 - board members serve two-year terms instead of three-year terms and up to three consecutive terms instead of two (S.B. 170);
 - board members may now hold a currently elected public office (S.B. 170);
 - board members are subject to recall "at any time" by the appointing member entity instead of "for cause" (See Section 17A-2-1051) (S.B. 170); and
 - a Transportation Commissioner shall serve as a nonvoting, ex officio member of the board for districts with more than 200,000 people or may serve as a nonvoting, ex officio member of the board for districts with 200,000 or fewer people (H.B. 157)

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